

United States District Court

WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

JOSEPH TIGANO III and
JOSEPH TIGANO SR.
30 Mill Street
Village of Cattaraugus, New York
(Name and Address of Defendants)

CASE NUMBER: 08-M- 2090

I, the undersigned complainant, being duly sworn state the following is true and correct to the best of my knowledge and belief.

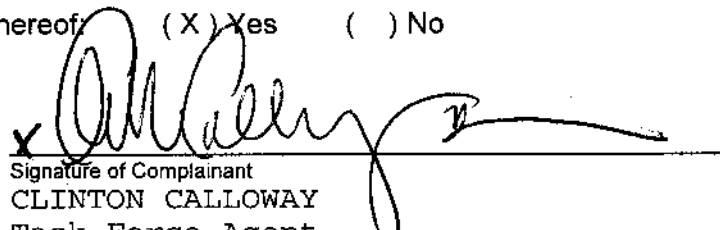
Between on or about November 2006 up to and including July 8, 2008, in Cattaraugus County, in the Western District of New York, the defendants did knowingly, intentionally, and unlawfully, combine, conspire and agree to manufacture in excess of 1000 marijuana plants and possess with intent to distribute quantities of marijuana all in violation of Title 21, United States Code, Section 841(a)(1) , 841(b)(1)(A) and 846.

I further state that I am a Task Force Agent with the Drug Enforcement Administration and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof (X) Yes () No

FILED
U.S. DISTRICT COURT
W. D. OF N.Y.
7/8/08
AT _____
BY _____
TITLE _____


Signature of Complainant
CLINTON CALLOWAY
Task Force Agent
Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

July 8th, 2008
Date

at Buffalo, New York
City and State

HONORABLE LESLIE G. FOSCHIO
U.S. MAGISTRATE JUDGE
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE)
CITY OF BUFFALO)

CLINTON CALLOWAY, Task Force Agent (TFA) of the Drug Enforcement Administration (DEA), United States Department of Justice, New York, being duly sworn, deposes and says:

1. I am a Task Force Agent with the Drug Enforcement Administration ("DEA") and as such, I am an "investigative or law enforcement officer" of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in the Comprehensive Drug Abuse Prevention and Controlled Substance Act of 1970, Title 21, United States Code, as amended. I have been a Task Force Agent with the DEA since November 2001. Prior to my assignment to the DEA, I was a Narcotics Investigator for six (6) years with the New York State Police. I have been employed by the New York State Police as a sworn law enforcement officer since March of 1987. As part of my assignment with the DEA, I successfully completed DEA basic task force agent training, an intensive course covering all aspects of drug enforcement. Based on my training and conversations with other Special Agents and Task Force Agents of the DEA, I am familiar with how controlled substances are cultivated,

manufactured, processed, packaged, distributed, sold and used within the framework of drug trafficking.

2. I make this affidavit in support of a criminal complaint charging JOSEPH TIGANO III and JOSEPH TIGANO SR. with conspiracy to manufacture and possess with intent to distribute quantities of marijuana in violation of Title 21, United States Code, Section 841(a)(1), 841(b)(1)(a) and 846.

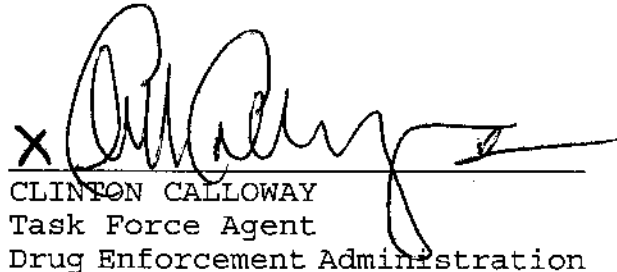
3. On July 8, 2008, pursuant to the execution of a federal search warrant signed by the Honorable Hugh B. Scott, United States Magistrate Judge, entry was made by agents into the premises located at 30 Mill Street, in the Village of Cattaraugus, New York, wherein the defendants, JOSEPH TIGANO III and JOSEPH TIGANO SR., were located.

4. Pursuant to the execution of that warrant in the basement of the premises, agents located 1174 growing marijuana plants which were part of a sophisticated growing operation involving growing lights, digital timers and watering systems. In the upstairs portion of the premises agents further located the packaging room wherein packaging materials were located and approximately 100 pounds of bulk marijuana was packaged up for distribution, which was field tested by TFA Cory Higgins and produced a positive


reaction for marijuana. Agents also located two firearms namely a loaded Browning, 12 gauge shotgun in Tigano III's bedroom and a rifle in the processing area of the building, and secured approximately \$30,000 in cash or postal money orders, as well as a money counting machine located adjacent to two safes in the processing area.

5. According to the affidavit in support of the application for the search warrant, information had been obtained indicating that the manufacturing activity has been ongoing since November of 2006.

WHEREFORE, your affiant prays that a Criminal Complaint as aforesaid be issued.

X 
CLINTON CALLOWAY
Task Force Agent
Drug Enforcement Administration

Sworn to before me this

 8th day of July, 2008.


HONORABLE LESLIE G. FOSCHIO
UNITED STATES MAGISTRATE JUDGE